

# The Kashmir Conflict: Multiple Fault Lines

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## Abstract

The Kashmir conflict has acquired a multifaceted character. On the one hand, it involves national and territorial contestations between India and Pakistan and on the other, various political demands by religious, linguistic, regional and ethnic groups in both parts of the divided Kashmir that range from seeking affirmative discrimination, a separate political status within the state, to outright secession. Peace has eluded Kashmir so far because a state-centric peace process is at odds with its plural social realities and multiple fault lines. The article identifies the key challenges for the peace process that includes extending its outreach to *all* the local stakeholders in a multi-layered dialogue with a mandate to evolve political and institutional processes and mechanisms for addressing different—if not divergent—aspirations of its diverse communities, without undermining the plural character of its society. The prognosis in the foreseeable future entails a roller-coaster ride with no clear endgame in sight.

## Keywords

Kashmir, peace process, plurality, fault lines, political mobilizations

## Introduction

The Kashmir conflict has radically transformed since its genesis in 1947 when it first became a bone of contention between India and Pakistan. A conventional understanding of this conflict remains emblematically tied to the territorial and ideological parameters, which suggests the dispute is rooted solely in the idea that a Muslim-majority state had its fate determined by a Hindu maharaja, that Pakistan—the ‘homeland’ of the subcontinent’s Muslims—is incomplete without Kashmir’s inclusion, or that India’s secular credentials depend on Kashmir’s continued accession. Kashmir is thus seen as an immutable zero-sum test of India and Pakistan’s legitimating ideologies—in which one’s validity invalidates the other’s—which in turn precludes the possibility of *any* reconciliation.

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Over the years, this conflict has become much more complex, not least because it has been a battleground for four wars—1948, 1965, 1971 and 1999—between India and Pakistan and from the late 1990s onwards, a nuclear flashpoint, but more importantly, the multiple fault lines in its internal domain have acquired a primacy. So, the populace of the Indian part of Kashmir—known as the Jammu and Kashmir (J&K) state—has made political demands ranging from affirmative discrimination and a separate political status within India to an outright secession, while those living in the Pakistani part of Kashmir—Azad Kashmir and Northern Areas—have been struggling for their own political and constitutional rights.

The two key premises of this article are as follows. The armed insurgency—which got underway in the late 1980s in the Kashmir Valley—is embedded in the much larger Kashmir conflict, making it imperative to understand its deep and multiple entanglements with the ways the latter has unfolded in its internal as well as external, especially bilateral, domain. And, the article adopts a *longue-durée* perspective for understanding this conflict. The article argues that the conflict ‘in’ as much as ‘on’ Kashmir has become intractable because policy makers as well as political analysts have failed to fully comprehend and address the emerging fault lines between the new, expanding and deepening theatre of conflict and the state-centric paradigm of the peace process. It then highlights the disjunctures between the unitary character of state structures and social pluralities on the one hand, and complicity of the state in privileging communal claims even though political mobilizations in Kashmir have consistently taken place along ethnic, linguistic and regional lines as well. The article argues this case in three parts: the first explains the multifaceted character of the Kashmir conflict followed by a critical overview of the ongoing, bilateral peace process; the second highlights the fault lines as well as the ‘unlearned’ lessons in the strategies devised for resolving the Kashmir conflict; and the third offers a brief prognosis of how this might unfold in the future.

## **Multifaceted Character of the Kashmir Conflict**

The fundamental changes in the political dynamics of the Kashmir conflict have problematized the traditional political construct of a Muslim-majority J&K state pitted against a majoritarian Hindu India or of an Islamic bond cementing the relationship between Azad Kashmir and the Northern Areas with Pakistan because it posits a misleading façade of the divided Kashmir being a homogenous entity, which is also why this issue has traditionally been framed as an India–Pakistan conflict. The multiethnic, multilingual, multi-religious and regional identities of Kashmir’s various communities and their diverse, if not divergent, political aspirations have driven home the need to recognize the deeply plural character of this society on both sides of the Line of Control. Some of these important transformations are discussed below.

### *Cyclical Nature of the Secessionist Movement in Kashmir*

The demand for a sovereign and independent state of J&K was first raised by the National Conference leader Sheikh Abdullah in the early 1950s, though it quickly

dissipated after his imprisonment in 1953. Almost three decades later, the Kashmiri youth led by the Jammu and Kashmir Liberation Front (JKLF) spearheaded a secessionist agenda in the late 1980s, but this time, it radically transformed the dynamics of this conflict, infusing it with a greater degree of militancy and compounding its complexity.

Over the years, this secessionist movement seems to have acquired a cyclical character in at least three aspects. First, its driving force has shifted gears from deploying ethno-national rationales to becoming an Islamic ‘jihad’. Its political leadership has accordingly oscillated hands between the ‘local’ Kashmiris and ‘outsiders’. And, it has both traversed and witnessed the entire spectrum of violence starting from launching an armed insurgency to liberate Kashmir to becoming a part of the global jihad before acquiring the label of ‘cross-border terrorism’, and then castigating the ‘gun option’ to resorting to stone pelting as a method of civilian resistance and currently showing the signs of a new round of the underground militant campaign. What follows is a very brief discussion of each phase focusing on its main trends, though the dominant voice must not be misconstrued to be the only voice.

In the mid-1980s, the Kashmiri youth had first sought to enter the political arena through the Muslim United Front (MUF)<sup>1</sup>—a broad coalition of Islamic groups—with a bulk of its cadre drawn from rich peasants or orchard-owning classes and prosperous business groups (Verma, 1994). The blatant rigging of the 1987 elections, however, denied them an opportunity to take part in the democratic political process, and viewed against the backdrop of consistent erosion of Kashmir’s political autonomy and the successive centre-imposed rulers, this proved to be the last straw, persuading the young protagonists that ‘the bullet will deliver where the ballot had failed’. Their belief that they would remain permanently marginalized under the current political dispensation precipitated the demand for secession that marked the onset of an underground liberation struggle.

The Kashmiri youth who spearheaded the secessionist movement were nationalists at heart. Their understanding of Kashmiri nationhood and the right of self-determination was more or less in keeping with Sheikh Abdullah’s traditions though they denounced his legacy for having surrendered the plebiscite demand for the prize of power in 1975 and in fact, celebrated the day of his death as a *Yome-i-Nijat* (day of deliverance) (Malik, 1994). The underground militant campaign which started in 1988–1989 soon paved the way for a mass movement for *azadi* (liberation), triggered by a single event of the government’s decision to release the JKLF militants in exchange for the kidnapped daughter of Union Home Minister Mufti Mohammed Sayeed in December 1989. There was a mass upsurge. The streets of Srinagar were filled with victory processions of jubilant crowds demanding *azadi*. The JKLF found support in every quarter of the Valley: among intellectuals, trade unionists, peasants, students and even government employees (Behera, 2000, pp. 165–167).

A sharp and quick crescendo in the political mobilization of Kashmiri nationalism, however, did not last long in terms of its ethos as well as political goals. While the Hizb-ul-Mujahideen is generally credited with injecting Islamic

formulations into the movement, the JKLF was already using such themes in its mobilization strategies and public discourse. Popular slogans, such as ‘Azadi ka matlab kya, La Illahilillah’ (Freedom means the rule of Islamic law) and ‘Hum kya chahte hain—Nizam-i-Mustafa’ (What do we want—Islamic law), used Islam and independence interchangeably. The JKLF’s official manifesto demanding that the princely state of J&K should be united as ‘one fully independent and truly democratic state’ had a distinct Islamic flavour in seeking to establish a system of *Islamic democracy*, safeguarding the rights of minorities as prescribed in the Koran and Sunnah, and an economy of *Islamic socialism* (JKLF, n.d.; Khan, 1970). In fact, ‘the practice of the JKLF’s politics through the late 1980s and early 1990s was at a considerable distance from its stated [secular] position’ (Swami, 2003a, pp. 74–75). The JKLF was the main force behind the expulsion of the minority Pandit community, with many of its cadre implicated in the brutal killings of Kashmiri Pandits imparting a serious blow to the secular fabric of the Kashmiri identity.<sup>2</sup>

The Hizb-ul-Mujahideen carried this agenda forward by ‘Muslimizing the Valley’ and fomenting a communal divide in the Muslim-majority areas of the Jammu region.<sup>3</sup> The Hizb and its parent political party, the Jamaat-i-Islami, changed the political discourse by redefining the problem: the *Muslim Valley*, they intoned, was waging an *Islamic movement* against the *Hindu Indian state* in order to accede to *Islamic Pakistan*. Islam, not Kashmiri nationalism, and accession to Pakistan, not an independent Kashmir, were now presented as solutions to the Kashmir question. The Jamaat-i-Islami’s ideologue, Syed Ali Shah Geelani, played a key role by placing the Kashmiri struggle within an Islamist paradigm (1992, 1993, 1998). He was bitterly opposed to an independent Kashmir based on secular nationalism because nationalism, according to Islam, was rooted in religion (Geelani, 1998, pp. 3–4). Islam, said Geelani, makes a clear distinction between *watan dosti* (love for their country), which it allows, and territorial nationalism or *watan parasti* (nation worship), which it clearly forbids (1993, p. 3). This was done in order to justify Kashmir’s accession to Pakistan on religious grounds. The Hizb mobilized its cadre—predominantly local Kashmiris—in the name of Islam and introduced the highly emotive term ‘jihad’ to justify political violence. Notably though, this jihad was directed at the Indian state and its agents, and not against Indians or Hindus per se, and its objective was limited to free Kashmir from Indian rule. Geelani clearly stated that ‘emotional slogans such as “Crush India!” are neither realistic nor do they reflect the spirit of Islam’ (1992, p. 227).

In the mid-1990s, however, it was the Hizb-ul-Mujahideen’s turn to be marginalized by its patron, Pakistan, who handed over the Kashmiri struggle to Deobandi jihadi organizations, such as Harkat-ul-Ansar (later renamed Harkat-ul-Mujahideen), Harkat-ul-Jihad-i-Islami, al-Badr, Jaish-e-Mohammad and Lashkar-e-Taiba of Ahl-e-Hadith persuasion, who shared a pan-Islamic agenda.<sup>4</sup> The proponents of a transnational Islamic identity aimed to establish a grand Islamic state stretching across the Middle East, Kashmir, Pakistan, Afghanistan, Iran and Central Asia, similar to the Islamic Caliphate of medieval times (Punjabi, 1994, p. 2). In their worldview, the armed struggle in Kashmir was

but one stage of a wider, indeed global, jihad. Kashmir was not a territorial dispute between India and Pakistan, not even a clash between cultures, but nothing less than a war between two different and mutually opposed ideologies—Islam and *kufir* (disbelief). Their independence struggle and the right of self-determination were irrelevant, and Kashmiriyat was debunked (Swami, 2003b, p. 35). In a clear departure from Geelani's position, Lashkar's chief, Hafiz M. Saeed, declared that 'it is the duty of Muslims to wage jihad against the "Hindu oppressors", and crush them by force', thereby reviving the much older Hindu–Muslim divide (Saeed, n.d.).

In time, the jihadis' agenda completely marginalized the local Kashmiri voices. But this backfired as people strongly resented to having their political movement hijacked by Islamic warriors who debunked their political goal of *azadi* (freedom). The mujahids were now feared and had lost all affection and respect, and militant attacks within and outside Kashmir were labelled as part of the Pakistani-sponsored 'cross-border terrorism'. Slowly, the people of Kashmir and their leadership sought to regain control over the movement. People collectively resisted having Islamic ideology imposed on them and often defied the militants' strictures on centuries-old Kashmiri practices and festivals (Behera, 2006, pp. 162–163). The separatist leadership also sought to transform the movement into a popular struggle for their political right to self-determination and broaden its social and political base.

Over the next decade, starting from 1995, almost the entire spectrum of separatist leadership split along the new dividing line of Kashmiri versus non-Kashmiri cadre and leadership. The JKLF leader, Yasin Malik, refused to play second fiddle to Azad Kashmir-based Amanullah Khan and parted ways in 1995 (Malik, 1995, p. 80), followed by a split in Hizb-ul-Mujahideen when its Pakistani-based leadership decided to expel Abdul Majid Dar and other Valley-based commanders in 2002 (*Indian Express*, 6 May 2002). The All Parties Hurriyat Conference followed suit in 2003, with Mirwaiz Umar Farooq demanding that the Muttahida (United) Jihad Council, the Muzaffarabad-based conglomeration of militant groups, should stop interfering in its affairs (Swami, 2003c, p. 35), and he also parted ways with Geelani who revived the Tehreek-i-Hurriyat and continued favouring Kashmir's accession to Pakistan (Bukhari, 2014). The 'jihadist' violence had started declining in 2002 and by 2005, the Islamists realized that 'the *jihad* on which their political position had been predicated was in terminal decline' (Swami, 2011, p. 340). Significantly, however, the Islamist discourse did not lose its appeal, credence and legitimacy, which is perhaps why its patrons only altered their political agendas and strategies by making 'a wider case that the secularization of culture in Kashmir constituted a civilizational threat' (Swami, 2009a, 2009b, 2009c). The first salvo was fired in 2006 when it was argued that 'secularism and modernity were responsible' for the prostitution racket that had rocked Srinagar, and that there was 'an Indian conspiracy to undermine Jammu & Kashmir's Islamic character'. In 2008, the Islamist patriarch, Geelani declared that granting the land-use rights to the Amarnath Shrine Board for facilitating the yearly Amarnath *yatra* (pilgrimage) was another Indian conspiracy to change the demographic character of the state (Swami, 2009a). Suspending, perhaps temporarily,

his original political goal of seeking Kashmir's merger with Pakistan, Geelani began propagating the old ideological beliefs of Jamaat-i-Islami that 'Kashmiri Muslims need to be converted afresh for accommodating Kashmiri beliefs in the local framework' (Behera, 2012, p. 31).

Within a decade, a clear and perceptible trend has emerged that the youth in Kashmir is turning to Islam in many ways, though the scale of this phenomenon varies considerably across its different manifestations. A public survey in 2011 found that 61 per cent of the Valley's youth is listening to religious sermons on their audio/MP3 players, and a lesser but politically significant figure of 25 per cent of youth identified the local mosques, especially Friday prayers, and graveyards as a meeting point with their friends (Behera, 2012, p. 31). This finding assumes significance in the current scenario in which media has reported a sudden spurt in the local youth joining militant ranks. A new, local *avatar* (incarnation) of the Hizb-ul-Mujahideen has become the single largest group with 80 out of 200 active militants in the Valley with 75 per cent of its new cadre, who are educated, wealthy and tech-savvy, having joined the group only in 2014–2015 (*The Hindu*, 13 September 2015).

In a sign of the secessionist movement coming full circle, the 'new' militants are mostly 'underground', not dependent on their counterparts across the Line of Control for arms and recruits and perform the 'core tasks of killing' themselves (Joseph, 2015; Masood, 2015). Much like the 'early generation' of militants, their families and local communities fully support them, though unlike the former, who never showed their face in public, the new generation is brazenly releasing its pictures and videos on social media, dressed in fatigues, walking about dense forests and toting a gun, and is in fact, effectively using the social media for its recruitment drive (Handoo, 2015).

Kashmiri nationalism is once again back in vogue, though its idiom is slowly, albeit surely, undergoing a radical transformation as it continues to imbibe the language, the religious values and discourse of political Islam—with one significant difference, that is, the Islamist discourse is no longer looked upon as an alien imposition from 'outside' but is gradually becoming a 'home-grown' phenomenon, marginalizing the much older ethos of 'Kashmiriyat'. Yet another parallel may be drawn in terms of the slow state response because there are little indications thus far that governments in Srinagar as well as in New Delhi have reckoned with the long-term implications of these new developments, though these are still unfolding.

### *Multiple Notions of Self-determination*

The secessionist movement had revived the debate on the Kashmiris' right to self-determination but its complex local political dynamics has fundamentally altered the basic parameters of this discourse. Traditionally, the Kashmiris' right to self-determination has been debated largely within the framework of the 1949 United Nations (UN) resolutions on holding a plebiscite, which limited the people's choice to joining India or Pakistan. This entailed a singular notion of



their right to self-determination that ruled out independence and perpetuated a fallacy that the two parts of the divided state are homogenous entities and that the Kashmiris are a monolithic group. The preceding discussion clearly shows that this is not the case.

Even the Valley's majority community of Kashmiri Muslims is not a unified, homogenous entity in terms of its political beliefs, its ideological leanings or its political goals. There are sharp divisions between those demanding that J&K become an independent state, those seeking to merge with Pakistan and those wanting to reconcile their differences with India through constitutional safeguards guaranteeing their political rights. Nor does the Kashmiri political leadership necessarily speak for the diverse minorities of the state, including Gujjars, Bakarwals, Kashmiri Pandits, Dogras and Ladakhi Buddhists. In fact, each is struggling to nurture its sociocultural identity, to find avenues of social and economic development and to create its own political space.

It is important to understand that the majority community of Kashmiri Muslims had become alienated when interventionist and centralized state structures appropriated J&K's autonomous status. Yet in fighting against those integrative pressures, Kashmiris replicated unitary power structures and thus alienated the people of Jammu and Ladakh. Kashmiris always seek maximum political autonomy from New Delhi but refuse to share the same with Jammu and Ladakh by granting them internal regional autonomy. As a result, a secessionist demand by the Kashmir Valley tends to provide an impetus for these regions to break away from what they perceive as the Kashmiri rule.

After suffering political and economic neglect at the hands of successive state governments, Jammu had once again, in the 1990s, started making political demands ranging from a separate state to regional autonomy and a regional council (Puri, 1983, 1999), while Ladakh launched a violent political agitation demanding a union territory status within the Indian Union (Behera, 2006, pp. 115–124; Kaul & Kaul, 1992; Van Beek, 1999). Both regions did not identify with the Kashmiri identity or share the state's vision of internal power-sharing structures and relationship with the Indian state. An independent Kashmir dominated by the Kashmiri Muslim majority would have little political space for them. In demanding their right to self-determination, they sought separation from Kashmir Valley and integration with the Indian Union. Apart from these, the internally displaced community of Kashmiri Pandits demanded a safe and peaceful 'return' to the Valley, while a section of them—mobilized by the Panun Kashmir—sought the establishment of a homeland within the Kashmir Valley (Bhasin, 2004; Evans, 2002). In the Jammu region, a Scheduled Tribe status for the nomadic community of Gujjars led to the politicization of Pahari-speaking people who proposed the creation of a new Pahari region in the 1990s (Behera, 2006, pp. 128–130).<sup>5</sup>

The Kashmiri leadership has consistently failed to recognize that the different communities living in J&K interpret the right to self-determination differently. So, while the Hurriyat Conference claims to speak on behalf of the 'people of Jammu and Kashmir', it represents the political interests of only a part of the majority community—Kashmiri Muslims in the Valley. The secessionist agenda underlying the demand for the right to self-determination thus lacks an inclusive character.

As a result, the collective and consistent opposition of the state's linguistic, regional and religious minorities has checkmated the demand for secession by the majority community of the Kashmiri Muslims.

### *Azad Kashmir and Northern Areas—Underlying Fissures*

Across the Line of Control, the bond of unified 'Islamic brotherhood', which has traditionally allowed Islamabad to take it for granted that people in these areas support accession to Pakistan, has, over the years, been challenged from within, from at least three quarters: ethno-national mobilizations; sectarianism; and a regional divide over the Northern Areas' constitutional status. Together, these highlight diverse political choices of people living in the Pakistani part of Kashmir.

The driving force behind the ethno-national mobilizations significantly differs in their rationales and political goals, though when compared to the Valley Kashmiris, their political and social base is much smaller and none has crossed the threshold of violence to seek their political demands. In Azad Kashmir, the Mirpuris *'feel'* themselves to be very different from other Potohari Punjabis', living on the far side of the Jhelum river in Pakistan proper even though they differ a little in cultural and linguistic terms. They regularly assert that 'they are Kashmiris, and by that token *not* Pakistani' (Ballard, 1991, p. 515). Mirpuris deeply resent Pakistan's disregard for them, having not only overlooked their political and economic interests but also unabashedly exploited their environmental resources at a great cost to the locals (Behera, 2006, pp. 189–191). At the peak of the Kashmiri insurgency during the 1990s, local Mirpuris and the overseas diaspora were greatly enthused by the prospect of a Kashmir that would be entirely independent of both India *and* Pakistan—their motto being 'Kashmir Azad banega' (Kashmir will become independent). The Sudhans, on the other hand, remember with pride their early rebellion against the maharaja's forces, yet support Kashmir's merger with Pakistan (Ballard, 1991, p. 516). Significantly, neither the Sudhan tribals nor the Mirpuris are prepared to accept the inevitable domination of the better-educated and numerically stronger 'hatos', as they contemptuously refer to the Kashmiris of the Valley, in case Kashmir is united.

In Northern Areas, since 1992, the Balawaristan National Front (BNF) has been trying to fashion a new common identity of 'Balawaristan' for the two million strong population of Shias, Sunnis, Ismailis and Nur Bakhshis living in Gilgit and Baltistan (Khan, n.d.). Their leader, Nawaz Khan Naji, claims that 'we are neither Pakistanis nor Kashmiris', and that the people from Ladakh to Chitral have a separate identity, status, ideology and entity with their own languages, culture, race, geography and common economy even though he admits that historically they never enjoyed a separate political status. The popular support base of the BNF, however, remains small and hence much of their activities remain confined to taking up the cause of human rights violation by the Pakistani state with the UN Human Rights Commission and other UN organizations.

Another challenge is, paradoxically, a product of the Pakistani establishment's policies, which has, since the 1990s, deliberately sown the seeds of religious



sectarianism in Northern Areas. Traditionally, Gilgit was home to 'shared life-worlds' of Shia and Sunni communities whose 'religious identities were fluid and pluralistic' (Ali, 2008). Sunni Muslims living in these areas were mainly Barelvis who believe in revering the Pirs and the Sufi saints, but since this 'different kind of Muslim' was not endorsed by Pakistani nationalism and being a Shia-majority political unit in a Sunni-dominated Pakistan, it became a source of 'significant anxiety' for successive ruling regimes in Islamabad. The latter responded by establishing an authoritarian control in the Northern Areas and promoting a Wahabi Islam by bringing massive numbers of Sunni *Maulvis* (priests) from the adjoining Frontier province. The 'regulatory processes of state-making' thus became the 'very source and embodiment of 'sectarianism' in the region, rupturing the centuries-old ties among the Shia and Sunni communities in order to prevent unity among them for making any political demands on the Pakistani state (Ali, 2008).

It is also important to take note of the regional divide between the people of Azad Kashmir and Northern Areas over the latter's legal and constitutional status. Muzaffarabad has viewed Pakistan governments' consistent attempts to assume direct administrative control over Northern Areas as 'a continuation of the British colonial policy of divide and rule' (Hussain, 2004). In a judgment delivered in March 1993, the Azad Jammu and Kashmir High Court directed the local government to immediately assume administrative control of the Northern Areas. The Pakistan government then appealed to the Supreme Court, which stated in a ruling issued on 14 September 1994 that 'the Northern Areas are part of Jammu & Kashmir state but are not part of Azad Kashmir as defined in the Azad Kashmir Interim Constitution Act, 1974' (Ali & Rehman, 2001, p. 128). The Pakistan government, however, insisted that even the Supreme Court has no jurisdiction over the Northern Areas. The government's official defence indeed admitted as much that 'Pakistan [only] exercises de facto sovereignty over Northern Areas', and that it 'has exercised a continuous effective occupation of the Northern Areas for the past 50 years', but it cannot grant a constitutional status to these areas because it will compromise Pakistan's position in the UN (Shamim, 1997; Suri, 2002).

Meanwhile, within the Northern Areas, various political forces have advocated three different options for deciding its political future (Behera, 2006, pp. 205–206). First, the BNF has presented a manifesto for a sovereign and independent republic of Balawaristan, which includes Gilgit, Baltistan, Chitral, Kohistan and Ladakh, though their immediate objective is to find a seat at the negotiating table for deciding the future status of the Northern Areas. A second option, of recognizing it as a separate, fifth province of Pakistan, is supported by most Shias. They claim that historically they were never a part of the state of J&K and had no cultural links with it (Khan, 1994, p. 55). The Shia populace of Baltistan also favours this idea, though their more immediate concern is that administratively they should be separated from Gilgit and made a division in their own right. On the other hand, the Sunnis in the Northern Areas, particularly in the Diamer district, want the Northern Areas to be merged with the state of Azad J&K, for if combined with Sunni Kashmir, they would become a majority, whereas at present this is not the case.

Overall, the lesson learnt from understanding the struggles of the people of Azad Kashmir and Northern Areas is the same as in the Indian part of Kashmir, that is, its various communities have different political aspirations, which need to be taken into account within the overarching story of the Kashmir conflict.

### *Bilateral Peace Process: The Roller-coaster Ride*

India and Pakistan's story of the Kashmir conflict is well documented (Ganguly, 2002; Lyon, 2008; Paul, 2005; Wolpert, 2011) and hence this article focuses mainly on the workings of the ongoing peace process, which got off the ground only in 2004.<sup>6</sup> It is, however, important to contextualize it by placing it within the larger framework of India and Pakistan's strategies and long-term goals in Kashmir.

Ever since the partition of the former princely state of J&K in 1948, India's objective in Kashmir is to maintain the status quo, to hold and protect what it has even though it never abandoned its declaratory claims on the Pakistan-controlled Kashmir. Following the Simla Agreement in 1972, India consistently sought to freeze the status quo, and Pakistan seemed resigned to it throughout the 1970s and the 1980s.<sup>7</sup> But this did not work after the Kashmiri insurgency resulted in increasing violence and bloodshed in the Valley. While the insurgency fizzled out, the idea of *azadi* has survived. Pakistan, on the other hand, has never reconciled to Kashmir's accession to India. It has 'war-gamed many scenarios of annexing Kashmir, has experimented with some and, has failed in every single attempt' (Behera, 2006, p. 73). And yet its predilection for forcibly changing the status quo in Kashmir does not appear to have run its course.

So, just why did India and Pakistan commit to a peace process in 2004? The answer lies in the total stalemate all players involved in the Kashmir conflict faced at that juncture. Despite relying on the entire spectrum of violence from terrorism to threats of war and the use of nuclear weapons, Pakistan had failed to deliver Kashmir. The last military crisis, in 2001–2002, reinforced the unheeded lesson of past armed conflicts over Kashmir (in 1948, 1965 and 1999) that this issue cannot be settled by force. Politically, it had alienated the Valley Kashmiris, who no longer looked to Pakistan as their saviour and were less willing to do Pakistan's bidding. Pakistan had armed and trained Kashmiri militants but never trusted them as a reliable partner. Islamabad was nervous that the latter would strike a deal with New Delhi, as was evident from a public admission that Pakistan leadership was instrumental in splitting the Hurriyat to forestall its dialogue with New Delhi. Threats to eliminate the Hurriyat leaders and the steady depletion of the Kashmiri cadre in the militant ranks also pointed in this direction. The jihad strategy was also at cross purposes with Musharraf's professed goal of ending the sectarian violence and ridding Pakistani society of extremist elements. As some pointed out, the 'bleed India' policy, an apparently cheap option for Pakistan, had totally collapsed—'Pakistan has bled no less than India' (Ahmed, 2002). On the other hand, the growing gap between Pakistan, almost a 'failed state' in some eyes, and a 'globalizing India' drove home the failure of the strategy.<sup>8</sup> Finally, as

the US ally in the 'war on terror', Pakistan was under tremendous pressure to deploy its army on the western border with Afghanistan. Eschewing a military confrontation with India, therefore, became a critical imperative in order to avert a two-front war situation.

India, on the other hand, blamed Pakistan for fomenting terrorism in J&K and yet had been unable to deter or punish Pakistan for doing so. In keeping with its defensive strategic outlook, India had fought this battle too on its own territory—targeting the insurgents and not their foreign supporters. The army's Northern Command (responsible for the J&K theatre) had long argued the need to destroy their training bases in Azad Kashmir, but the political leadership did not favour any action that could precipitate a military crisis. After the terrorist attacks on the Indian Parliament in December 2001, however, New Delhi changed its stance and announced Operation Parakram, deploying Indian army along the border. India's first attempt to force Pakistan to end cross-border terrorism by coercive diplomacy was a bold departure from its previous passive posture on cross-border terrorism. However, this ended inconclusively when 10 months later, in October 2002, India unilaterally announced a redeployment of its troops from the border. Many realized that a conventional war—either limited or an all-out attack—was not an effective instrument for ending cross-border terrorism.

The military crisis also called Pakistan's nuclear bluff over Kashmir. Pakistan's strategy thus far had been to wage a proxy war under the assumption that its nuclear weapons would deter any Indian retaliation. India's decision to up the military ante in December 2001 indicated that Pakistan's support for cross-border terrorism would not go unpunished, for India was prepared to bear (or disregard) the risk of a nuclear war. Pakistan's defiant response was to threaten opening the war with nuclear weapons if India crossed the Line of Control, but under mounting international pressure, President Musharraf was forced to backtrack, saying that 'no one is that insane to contemplate the use of nuclear weapons'. The ultimate threat—the use of nuclear weapons—had also become a blunt instrument.

In Kashmir Valley, political process was restored and state elections were regularly held since 1996, with increasingly better voter participation but the secessionist movement had not ended. The militants could not throw out the Indian army nor could the army eradicate the militancy. The jihadi violence without the political support of the local populace can and perhaps will continue to bleed India, but it cannot liberate Kashmir. This realization was most acute among Kashmiris themselves. A decade of violence, criminalization of the militant ranks, the prevailing 'gun culture' and growing presence of mercenary mujahideen left people in the Valley disillusioned. At the same time, Indian leadership realized that they had warded off the threat of secession in Kashmir but peace remained elusive without talking to Pakistan because 'no level of defensive monitoring of the Line of Control will be adequate as long as Pakistan continues providing military assistance to militant groups in Kashmir' (Swami, 2003a, p. 15).

Thus, both India and Pakistan's strategies had reached a stalemate, forcing them to revert to the negotiating table. A meeting between India's Prime Minister Atal Bihari Vajpayee and Pakistan's President Pervez Musharraf at the South

Asian Association of Regional Cooperation summit in January 2004 restarted the dialogue process. Over the next 4 years, India and Pakistan held serious negotiations on a host of issues and achieved some important breakthroughs (Padder, 2012). The official dialogue was ably supported by an effective backchannel diplomacy led by two principal envoys—Mr Tariq Aziz and Mr Satinder Lambah.

Buoyed after his first meeting with Prime Minister Manmohan Singh in September 2004, Musharraf declared that Pakistan would give up its claim to Kashmir if India agreed to a four-part solution that included a soft border across the Line of Control; demilitarization of the Line of Control; development of a plan for self-governance of Kashmir; and the institution of a mechanism for joint India–Pakistan supervision of the region. On his part, Dr Manmohan Singh sought to secure India's vital concerns by laying out the broad parameters of a possible final solution: no redrawing of boundaries on religious grounds, and in the domestic context, maximum autonomy short of secession.

General Musharraf's task was clearly more difficult as he needed to radically alter Pakistan's impossible calculus built over almost six decades. He questioned many long-held sacred truths of Pakistan's Kashmir policy by abandoning its original stand on the plebiscite option and took an important step forward in publicly acknowledging that Kashmir's political future cannot be decided on religious grounds, which his critics argued knocked out the basic rationale of Pakistan's Kashmir policy. As the Pakistan army's chief, however, he was perhaps best placed to deliver a peace deal on Kashmir.

On the other hand, while the army had the power to directly negotiate a deal and its support was considered to be crucial to any final solution, this alone was not the clinching factor because it lacked political legitimacy enjoyed by Pakistan's mainstream political forces, thereby making it extremely difficult to arrive at a political consensus. General Musharraf was willing to take risks and make concessions in negotiating with India but the peace process was neither inclusive nor a broad-based enterprise. He controlled the negotiations single-handedly, but precisely because of that, he was left alone to defend it. He failed to build a consensus even within his core constituency—the army—to make peace with India and drifted away from the core position of its Kashmir policy. That is perhaps why the new thinking on Kashmir began to be identified as 'Musharraf's Kashmir policy' rather than 'Pakistan's Kashmir policy' and when his downfall came, his Kashmir policy became the most important casualty.

Soon after Musharraf's ouster, the peace process began to unravel as its underlying rationale, especially on the Pakistani side, witnessed a complete reversal. Musharraf's successors in the army headquarters—General Ashfaq Pervez Kayani followed by General Raheel Sharif—reverted to the older position whereby the jihadi groups were no longer considered as a 'spoiler' but as a 'potential game changer'. The Pakistan army no longer believes that its policy of 'bleeding India with a thousand cuts' has run its course or that it has *backfired* on Pakistan. On the contrary, speculations about a quick US exit from Afghanistan fuelled expectations of its 'victory'. Unlike Musharraf, who wanted to safeguard the jihad strategy as an instrument of 'leverage' in negotiations with India (and the US), Kayani was prepared to 'use' it.

As it turned out, the Mumbai terror attacks in November 2008, which killed 170 people, precipitated a break point in the bilateral peace process. Unlike the past terror attacks, Ajmal Kasab, a Pakistani terrorist, was captured alive by the Indian security forces. Kasab's testimony along with the testimony of David Coleman Headley, arrested by the US authorities in October 2009, and other substantial material evidence proved that the Lashkar-e-Taiba had planned and executed this attack from the Pakistani soil with shadowy links to the Pakistan's intelligence agency, Inter-Services Intelligence (ISI).<sup>9</sup> A primary objective of the Mumbai attack was to halt the bilateral peace process with another war as its best-case scenario (Tankel, 2009).

Significantly, the Tehreek-i-Taliban Pakistan, which had been formed in December 2007 and which was militarily confronting the army in the tribal areas, had issued several statements to the effect that they would fight alongside Pakistan army in a war against India (Jamal, 2015; Semple, 2014). And the latter declared notorious militant commanders including Tehreek-i-Taliban chiefs, Baitullah Mehsud and Maulvi Fazlullah, as 'patriotic' Pakistanis (Loudon, 2008; Mir, 2008; 'Taliban Will Support Pak in War with India: Mehsud', 23 December 2008).

Even mainstream political parties had started cutting deals with the jihadis and their patrons in Islamist parties. In Punjab, the Pakistan Muslim League (Nawaz group) (PML-N) was aligning with the Deobandi upswing and the Sharif brothers had refused the repeated requests by the Americans, British, Indians and the federal government to crack down on militancy in south Punjab where it is strong and provides recruits for the Taliban. The Awami National Party-led government in the Frontier province made a peace deal—at the behest of the army—in February 2009 with the Swat-based Sunni extremist Tehrik-e-Nifaz-e-Shariat-e-Mohammadi (TNSM), a militant group allied to the Taliban. Imran Khan's Pakistan Tehreek-e-Insaf fought shy of condemning terror attacks by the Pakistani Taliban while vociferously demanding an end to the US drone attacks in the Federally Administered Tribal Areas (FATA) areas. Overall, the peace process was bereft of a political patron in Islamabad.

Across the border, New Delhi was no longer sure about Pakistan's commitment to the peace process, and under tremendous public pressure at home, it decided to suspend the composite dialogue process. Despite a change in the ruling regime in New Delhi as the Narendra Modi-led Bharatiya Janata Party (BJP) came to power in 2014, the basic equations have not changed since. Attempts to restart the peace process have remained abortive at best.

## **Is the Kashmir Conflict Resolvable?**

There is no clear, single answer to this query albeit a more qualified and nuanced response may be in principle—yes, but practically—extremely difficult, at least in the foreseeable future. So, perhaps the question needs to be framed differently—Why has the Kashmir conflict become so difficult to resolve? The following section identifies certain key fault lines of the peace process to explain why it has not worked so far.

### *A Top-down Peace Process and the Missing Stakeholders*

The preceding discussion brings into sharp relief the *disconnect* between the 'new' expanding and deepening theatre of the Kashmir conflict and the 'old' state-centric frame of the bilateral peace process. A top-down dialogue process confined to the bilateral level has, for all effective purposes, excluded a whole array of important stakeholders and paid little heed, if at all, to their voices and demands. Interestingly, there is a complete and steadfast agreement on this issue at the top, that is, the peace process involves a *single high table* with only two seats for New Delhi and Islamabad. While both sides profess to confabulate with their respective constituencies, precisely 'who' is consulted, 'how', 'when' and 'to which end' is mostly determined unilaterally.

Pakistan has, as explained earlier, never felt the need to consult the political leadership of Azad Kashmir and Northern Areas, though it does not miss any opportunity to hold talks with the Hurriyat leadership in the Indian part of Kashmir. Even this has been done selectively by playing off the latter's moderate factions and the hardliners against each other and crowning the mantle of a 'true representative' of Kashmiris to whosoever is willing to play a subservient role to the Pakistani agenda. And, if Hurriyat leaders do not toe the Pakistani line, they are threatened, marginalized or eliminated.

India has scored a little better only because it always kept open the option of holding talks with different factions of the separatist leadership including the Hurriyat Conference as well as key militant groups such as the Hizb-ul-Mujahideen. In 2006, the United Progressive Alliance (UPA) government led by Dr Manmohan Singh even invited the whole spectrum of political parties, separatist leaders and political groups to collectively deliberate the state's political future over a round-table conference, while its successor, the UPA-II regime, also led by Dr Manmohan Singh, appointed a set of three interlocutors in 2010 with a similar purpose.

New Delhi, however, has failed to implement the recommendations of all such endeavours including those instituted through the 1970s to the 1990s. The report of the State Autonomy Committee appointed by Farooq Abdullah's government in 1999, which demanded restoration of the pre-1952 autonomous status of the J&K state and passed this resolution in the state legislative assembly with an overwhelming majority, met the same fate. For many people in Kashmir, this has resulted in devaluing and undermining the very idea of a dialogue process because none has succeeded in bringing about peace and reconciliation in the state, thus raising suspicions about their real purpose and intent.

While there is no singular answer for the basic question, who speaks for the people of J&K as much as Azad Kashmir and Northern Areas, notwithstanding the various contenders, the bottom line is that this top-down and exclusionary nature of the peace process must reach out to all the local stakeholders involved in the conflict and make it a more inclusive and participatory exercise. This in turn calls for augmenting the levels of the dialogue process between the Indian government and the representatives of Jammu, Valley and Ladakh; various representatives of Jammu, Valley and Ladakh among themselves; Indian and



Pakistani parts of Kashmir across the Line of Control; representatives of Azad J&K and Northern Areas; and the representatives of Azad J&K and Northern Areas with the Pakistani government—thus introducing *several high tables*.

### *A Paradoxical and Limiting Agenda*

The agenda of the peace process presents a paradox. On the one hand, it is ‘all-embracing’, wherein the Kashmir conflict is discussed alongside the whole gamut of issues ranging from peace and security and confidence-building measures to Siachin Glacier, Wullar Barrage/Tulbul Navigation project, Sir Creek, economic and commercial measures for co-operation, terrorism and drug trafficking and promotion of friendly exchanges in various fields. On the other hand, it completely skirts the ‘real’ issues at stake, which needed to focus on evolving political, constitutional, social and economic mechanisms and instruments for meeting the diverse aspirations of all its diverse communities. As explained earlier, a disjuncture between the unitary state structures and plural social realities coupled with a continuing and deepening fragmentation of communities in a multi-layered vortex of majority–minority complexes cast along ethnic, religious, linguistic and regional axis lies at the heart of the separatist political mobilizations in Kashmir. And yet, any fundamental restructuring of the rules of the game of power-sharing at different levels of governance structures has never seriously figured on the agenda of the peace process. This is, in part, a logical outcome of the ‘single high table’ format that allows relegation of such fundamental issues to their respective and exclusive ‘domestic domains’. That is why augmenting the levels of the dialogue process must go hand in hand with expanding its agenda to focus on the rules of power-sharing among their different regions and communities.

Equally important is the task to understand the inner contradictions and rationales of such limiting agendas. For instance, while Pakistan assumes the mantle of speaking on behalf of the Indian Kashmiris, demanding their right to self-determination, it has refused to grant the constitutional rights of the people of Northern Areas, and Islamabad is prepared to hold these rights in abeyance until Kashmir’s final status is resolved on the pretext that it will compromise Pakistan’s stand in the UN (Behera, 2006, p. 177). Likewise, the Valley leadership has consistently sought maximum political autonomy from New Delhi but steadfastly refused to put the issue of federalizing the unitary features of J&K’s constitution on the negotiating agenda.

### *Privileging Communal Claims*

Privileging and legitimizing communal claims over other ethnic, linguistic and regional mobilizations has historically proved to be the undoing of various peace proposals in Kashmir. Indeed, many suggestions for settling Kashmir’s problems have managed to fuel this debate by using regional or religious affiliations as a basis for territorial divisions. This has been the central failing of the ceasefire

line (1949), the redrawing of district boundaries within Jammu and Ladakh regions, the Dixon plan for a regional plebiscite, a proposed trifurcation of the state and Ladakh's demand for a union territory status. As part of the current peace process, too, General Musharraf, ostensibly in deference to 'Indian sensitivities', weighed in with region-based options—'Take Kashmir in its entirety', he stated, which according to him 'has seven regions with two in Pakistan and five in India'. He then suggested to 'identify a region, whether it is whole of seven or part ... demilitarize it forever and change its status' (Gupta, 2004, p. 49).

The problem is that the dividing lines between the religious and regional frontiers within the Indian part of Kashmir are very thin. Thus far, it has been possible to come up with not *one* but at least *four* such formulations of regions. Significantly, however, only the current one—consisting of Jammu, a Hindu-majority region with a substantial Muslim minority; Ladakh, where the Buddhists outnumber the Muslims; and the Kashmir Valley, being the only Muslim-majority region with a small minority of Kashmiri Pandits—does not disturb or distort its plural character. All the other three formulations would actually deepen the communal fault line under the guise of carving out new regions. Under General Musharraf's proposed set-up, Kashmir would be divided into seven regions, five of which would have a Muslim majority. Even the National Conference's formulation proposed by the Regional Autonomy Committee in 1999 would establish eight provinces along similar lines in which six (Maraz, Kamraz, Nundabad, Chenab Valley, Pir Panjal and Kargil) would have a Muslim majority. The much older Chenab formula would also place the Line of Control along the river bed, with Muslim areas on the right side of the river being absorbed into Pakistan and the Hindu- and Buddhist-majority regions into India. This formula self-confessedly sought to partition Kashmir on religious lines (Hussain, 2004, pp. 23–27). None of these formulas recognize that Kashmir's plurality is an asset and not a liability and must therefore be firmly embedded in the peace process.

The local dynamics of the internal domain pose a bigger challenge because of the state's complicity in privileging such communal claims and reinforcing communal fault lines. Right from the outset, Sheikh Abdullah's resolve to empower the majority community by giving them jobs and lands they had long been denied to his differentiating between Muslims and non-Muslims of the state to decide about Kashmir's accession to India, showed an implicit 'acceptance of the legitimacy of communal claims' (Puri, 1983). It became more pronounced over time as was evident from Sheikh's concept of the 'Greater Kashmir' in the 1970s to the Regional Autonomy Committee report in 1999, which proposed restructuring of the Jammu region into three provinces along Hindu–Muslim lines<sup>10</sup> and bifurcation of Ladakh into Buddhist-majority Leh and Muslim-majority Kargil.

Across the Line of Control, Pakistan has unabashedly used state power to promote religious sectarianism in Northern Areas through a concerted drive to change its demographic balance reducing the 80 per cent Shia majority of 1947 to just 55 per cent today (Zareef, 1992); pursuing a 'divide and conquer' policy for 'creating disunity along sectarian lines, in order to thwart regional solidarity and secular-nationalist aspirations, with the help of key state institutions including the army, intelligence agencies and the Ministry of Kashmir and Northern Areas

(KANA) bureaucracy, which directly administers these areas' (Ali, 2008); and assisting the anti-Shia Sunni extremist organization Sipah-e-Sahaba Pakistan (SSP) to establish its presence in the area (Qureshi, 1989; Shehzad, 2003), thus widening the Shia–Sunni cleavages.

Privileging or promoting such communal mobilizations has proved to be not only at variance with the deeply plural character of J&K society but also deeply problematic otherwise; especially when appropriated by a state as a legitimizing tool, an ideology invariably acquires a majoritarian character whatever its specific form, whether Hindu nationalism/secularism, Islamic principles or even a Kashmiri-based ideology. The fact that those boundaries are limited may seem to explain why the insurgent movement of the 1990s seeking Kashmiri self-determination foundered upon being pressed to accommodate an Islamic jihad. The real source of Kashmir's various problems is not so much the limiting boundaries of an Indian, Pakistani or Kashmiri ideology, but the fact that the ideology, with its homogenizing tendencies, is being applied to all in a deeply plural community. This plurality must be the uppermost consideration in formulating an appropriate policy framework for the peace process.

### *Pulls and Pressures of the Societal and Regime Imperatives*

Since the reins of the peace process remain firmly in the hands of New Delhi and Islamabad, it continues to be subjected to often contradictory pulls and pressures of their respective regime imperatives. Pakistan's polity, for instance, remains deeply divided between military and democratic forces, which makes it difficult to arrive at a consensus on Kashmir. Whenever a democratically elected government has attempted a rapprochement with New Delhi on the Kashmir issue, it has had to backtrack under the establishment's pressure. Just as Benazir Bhutto began talking about resolving the Kashmir issue in light of the Simla Agreement, for example, President Ghulam Ishaq Khan was reintroducing the agenda of 'unfinished business of partition' and the accession of Kashmir (Kumar, 1992, p. 169). Likewise, the Pakistan army's Kargil operation completely scuttled the Lahore process initiated by Prime Minister Nawaz Sharif with his Indian counterpart, Atal Bihari Vajpayee. In the current scenario, too, General Raheel Sharif calls the shots in determining Pakistan's Kashmir policy, which leaves little room for manoeuvring for Prime Minister Nawaz Sharif. This became evident when the Sharif government agreed to delink the issue of terror from Kashmir at the joint declaration issued at Ufa in July 2015, only to face stringent criticism at home for this 'undue' concession to India.

Moreover, the sharp ascendance in the jihadi forces in Pakistan has acquired an independent dynamic. Not only are they totally committed to the cause of jihad but they have also developed sufficient wherewithal—a reservoir of ideologically motivated men, weapons and a vast terrain straddling the Pakistan–Afghanistan border with large pockets of sympathetic populations—to continue waging jihad with or without state protection (Abbas, 2005). And, Kashmiri jihad is the goose that lays the golden egg. Too many interest groups ranging from the power brokers

in Islamabad and rulers in Azad Kashmir to jihadi leaders and civil–military officials who have enjoyed access to unaudited funds have a direct stake in the industry of violence. They can reportedly ‘take a lull in business for some time, but few seem ready to wind it up’ (Khan, 2003, p. 41). They certainly have the capacity to launch large-scale terror attacks, and a renewed backing for the jihad strategy by the Pakistan army makes for a lethal combination. And that is precisely why the violence unleashed by jihadis will continue to hang like a sword over the peace process.

On the Indian side, the BJP’s Hindutva philosophy does not seem to augur well for the Kashmiri peace process. Kashmir has always been central to the Hindu notion of *rashtra-rajya* (nation-state), and the BJP has traditionally advocated that Article 370 be abolished since Kashmir, by virtue of its Muslim majority, needed to ‘prove’ its loyalty to India by abandoning all claims to special treatment. In practice, however, pragmatism has been the hallmark of its Kashmir policy (Behera, 2003). The BJP’s decision to drop the proposal for abrogating Article 370 from its joint election manifestoes, starting from the 1999 elections, is a case in point. The BJP has also desisted from supporting the Rashtriya Swayamsevak Sangh’s demand for the trifurcation of J&K along Hindu–Muslim lines.

## Prognosis

Resolving the Kashmir conflict is bound to be a long-drawn-out affair and it is hazardous to predict outcomes. No one involved appears to have clearly thought through any scenarios that might offer a win–win solution for all. Hence, one can easily be optimistic or pessimistic about the prospects for peace.

Some argue that there is room for optimism, as attested to by the breakthroughs achieved in the initial stages of the peace process. Though some of those agreements and tacit understandings have since been jettisoned, their demonstrative value that a ‘solution can be found’ is not completely lost. On the ground, the Indian part of Kashmir has not only witnessed a consistently high record of popular participation in the successive state assembly elections but the new and somewhat stable trend of coalition politics is imparting valuable lessons in power-sharing to the elected political representatives of the three regions—Jammu, Valley and Ladakh. Moreover, the Panchayat elections have institutionalized a third layer of governance, reintroducing democratic practices at the grass-roots level. From a different vantage point, the Peoples Democratic Party’s (PDP) mobilization of a ‘pro-Kashmiri nationalism’ while trying to appropriate the Hurriyat’s agenda without the latter’s secessionist overtones, clearly holds appeal for the Valley Kashmiris who voted the PDP to power in the 2014 state assembly elections. The PDP’s decision to form a coalition government with the BJP in this regard may also help soften the latter’s Hindutva rhetoric in the state while allowing a better synergy with the Modi-led central government to realize the state’s developmental goals and extend much-needed support to the bilateral peace process. Across the Line of Control, the Pakistan–China Economic Corridor and its ambitious agenda for developing

Azad Kashmir and the Northern Areas has brought it under a new international gaze and elections in these areas are now being subjected to a new set of checks and balances to ensure greater transparency. However, at the national level, especially in Pakistan, there is little room for optimism, especially since the debate about whether the jihadi forces are an asset or a liability for the state remains inconclusive. On the Indian side, a change of regime in New Delhi had raised hopes of breaking new ground especially when Prime Minister Narendra Modi decided to invite his Pakistani counterpart, Prime Minister Nawaz Sharif, to his swearing-in ceremony, indicating his commitment to the peace process, but 'the on-again-off-again' pace of dialogue in the past 1 year has somewhat dented such optimism.

Sceptics on both sides seem to hold the upper hand for now. The peace process, they argue, is fundamentally flawed for various reasons discussed earlier and there is little progress on the ground. The Indian government, some argue, is interested in the dialogue—both at the intrastate and interstate levels—for its own sake and is not prepared to make any significant political concessions to reach a peace deal. New Delhi has made poor use of the two-decades-long window since the restoration of democratic process in J&K state in 1996 to re-negotiate the terms of the state's political autonomy even within the parameters of the Indian Constitution.

Across the border, Pakistan's army chief, General Raheel Sharif, has completely reversed Pakistan's Kashmir policy to the traditional stand of demanding the Kashmiris' right of self-determination and redefining it as the 'unfinished agenda of partition'. At home, religious extremism and jihadi culture has seeped deep into Pakistan's body politic. Although the army has been fighting the insurgency led by the Tehreek-i-Taliban, it has steadfastly refused to pull the plug on all jihadi forces, viewing these groups now as 'potential game changers' in Pakistan's political calculus vis-à-vis two of its neighbours, India and Afghanistan. If the jihadi forces were to gain an upper hand or if the army decides to co-opt them into the political power structures, the peace process runs the risk of being completely shelved. For the jihadi groups, waging a jihad against India is an end in itself and they completely reject any kind of negotiated settlement on Kashmir.

A related and worrisome development in both parts of Kashmir is an all-round worsening of the communalization of political forces and the spread of Wahabi Islam. The growing Shia-Sunni cleavages in the Northern Areas have been discussed earlier, but even in the Kashmir Valley there are indications of a long-running, concerted and effective campaign to transform the fundamental character of Kashmiri Islam. Many point to the sharply growing numbers of mosques and madrasas in the Valley in the past two decades, with estimates varying from 86 per cent to a whopping 900 per cent increase in their numbers since the 1990s (Oberoi, 2011).

Overall, the peace process is likely to continue its roller-coaster ride, perhaps with more and sharper downturns and fewer as well as treacherously transitory 'uplifting' ones. The final frontier of reaching a peace settlement on Kashmir remains out of reach for now.

## Notes

1. It comprised mainly the Jamaat-i-Islami, the Ummat-e-Islami led by Qazi Nissar and Maulvi Abbas Ansari's Anjuman-e Ittehad-ul-Musalmeen along with several other outfits of Jamaat-i-Islami.
2. Farooq Ahmad Dar, widely known by his nom de guerre, Bitta Karate, admitted in a Newstrack interview on television that several Kashmiri Pandits had been killed on the orders of top JKLF leader Ishfaq Majid Wani. Cited in Swami (2003a, p. 75).
3. The Hizb, along with Harkat-ul-Ansar and Al Jihad, were instrumental in foreclosing any possibility of the Pandits' return. It also threatened to auction the properties of Kashmiri Muslims unless they returned immediately (*Sunday Mail*, 8 July 1990).
4. Hizb-ul-Mujahideen's parent organization, Jammāt-i-Islami, had also undergone political eclipse in Islamabad after 1996, in favour of the Deobandis and this trend was reinforced by simultaneous march of the Taliban into Kabul (Ahmed, 2000).
5. Three memorandums were submitted to the Regional Autonomy Commission, instituted in 1996, to this effect. These included 'Memorandum on Behalf of Poonch-Rajouri Hill Council' by Mohammad Younis Chauhan, President, Poonch-Rajouri Hill Council; 'Memorandum for Grant of Regional Council Status for Rajouri and Poonch'; and an individual 'Memorandum for Regional Council for Rajouri and Poonch' by Tahir Khurshid Raina (Behera, 2000, pp. 344–345).
6. Many scholars trace the beginning of the peace process to Indian Prime Minister A. B. Vajpayee's visit to Lahore in 1999.
7. Zulfikar Ali Bhutto never raised the matter in bilateral negotiations but made several attempts to integrate Azad Kashmir and the Northern Areas fully into Pakistan. General Zia suggested putting Kashmir on the back-burner while the two countries tackled other issues (*President of Pakistan General Mohammad Zia-ul-Haq*, 1983, p. 167).
8. In 2003, India's economy posted 7.4 per cent growth, the second-fastest rate in the world, while that of Pakistan had slid to 3.6 per cent and was castigated as the 'Jihadi Rate of Growth' (*Financial Express*, 18 June 2002).
9. During Musharraf's period, there seemed to be a tacit understanding whereby New Delhi fought shy of holding the dialogue process conditional to complete cessation of terror attacks against India and Musharraf assured that there would be no spectacular terror attacks. As a result, though Indian cities were continually targeted between 2004 and 2007, certain implicit red lines were drawn which was grossly violated by the Mumbai attacks.
10. The district of Doda and the single Muslim-dominated tehsil of Mahore from the adjoining Hindu-majority district of Udhampur would form a new Chenab Valley province. The largely Hindu districts of Jammu, Kathua and Udhampur would make up Jammu province. Poonch and Rajouri districts would form the Pir Panjal province.

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